

Jamie N. Cotter (Wyoming Bar No. 74721)  
Philip A. Pearlman (Colorado Bar No. 11426)  
Scott J. Goldstein (Missouri Bar No. 28698)  
Spencer Fane LLP  
1700 Lincoln Street, Suite 2000  
Denver, Colorado 80203  
Telephone: (303) 839-3800  
Facsimile: (303) 839-3838  
[jcotter@spencerfane.com](mailto:jcotter@spencerfane.com)  
*Counsel to the Official Committee of  
Unsecured Creditors*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF WYOMING**

**In Re:** ) **Chapter 11**  
POWELL VALLEY HEALTH CARE, INC., ) **Case No. 16-20326**  
**Debtor-in-possession.** )

**STIPULATION BETWEEN OFFICIAL COMMITTEE OF UNSECURED CREDITORS,  
DEBTOR, AND PEGGI JO WERBELOW TO DETERMINE CLAIM ALLOWANCE  
POST-CONFIRMATION**

The Official Committee of Unsecured Creditors (the “Committee”), Powell Valley Health Care, Inc. (the “Debtor”), and Peggy Jo Werbelow (“Werbelow”) (collectively, with the Personal Injury Trustee, the “Parties”) through their respective counsel, enter into this Stipulation regarding Werbelow’s *Motion for Entry of an Order Allowing Proof of Claim #95-1 Pursuant to Rule 9006(b)(1) or in the Alternative Motion for Relief from Stay* (the “Motion”) [Doc 731] and states as follows:

WHEREAS, on May 16, 2016, the Debtor filed for Chapter 11 relief;

WHEREAS, on June 21, 2016, the Office of the United States Trustee appointed the Committee:

WHEREAS, on May 17, 2016, the Court established September 7, 2016 as the deadline for holders of claims to file proofs of claim against the Debtor (the “Bar Date”) [Doc 19];

WHEREAS, on May 9, 2017, Werbelow, by and through counsel, filed proof of claim number 95-1, asserting a general unsecured claim in the amount of \$2,000,000;

WHEREAS, on September 26, 2017, the Debtor filed its *Amended Disclosure Statement* [Doc 655] and its *Amended Chapter 11 Plan of Reorganization* (the “Amended Plan”) [Doc 656];

WHEREAS, on October 25, 2017, the Court entered an order establishing, among other things, a deadline of November 17, 2017 for those wishing to seek allowance of Tardy Claims [Doc 714];

WHEREAS, on November 15, 2017, Werbelow, by and through counsel, filed proof of claim number 95-2 (the “Werbelow Claim”), asserting a general unsecured claim in the amount of \$2,000,000;

WHEREAS, on November 16, 2017, Werbelow, by and through counsel, filed the Motion, requesting leave to file her proof of claim out of time, or in the alternative, relief from the stay as against Jeffery Hansen, M.D.;

WHEREAS, on December 7, 2017, the Court entered an order requiring compliance with Local Bankruptcy Rule 9013-1(A) within fourteen (14) days of entry of the order (the “Compliance Order”);

WHEREAS, in light of the Motion and the Compliance Order, the Court will have to determine whether to allow the Werbelow Claim (the “Claim Allowance Determination”).

Now therefore, given the status of this case, with various negotiations in anticipation of a confirmation hearing on the Amended Plan, the Committee, the Debtor, and Werbelow agree and stipulate that the Claim Allowance Determination shall occur on a date to be determined post-

confirmation of the Amended Plan. The Parties reserve all rights with respect to the Claim Allowance Determination.

Dated: December 19, 2017

Respectfully submitted,

**SPENCER FANE LLP**

/s/ Jamie N. Cotter

Jamie N. Cotter WY #74721  
1700 Lincoln Street, Suite 2000  
Denver, CO 80203-4554  
(303) 839-3800  
(303) 839-3838—Fax  
[jcotter@spencerfane.com](mailto:jcotter@spencerfane.com)  
[ppearlman@spencerfane.com](mailto:ppearlman@spencerfane.com)

Scott J. Goldstein MO #28698  
1000 Walnut, Suite 1400  
Kansas City, MO 64106  
(816) 474-8100  
(816) 474-3216—Fax  
[sgoldstein@spencerfane.com](mailto:sgoldstein@spencerfane.com)

**COUNSEL TO OFFICIAL COMMITTEE OF  
UNSECURED CREDITORS**

**MARKUS WILLIAMS YOUNG &  
ZIMMERMAN, LLC**

/s/ Bradley T. Hunsicker

Bradley T. Hunsicker (WY Bar No 7-4579)  
Jennifer Salisbury (WY Bar No. 7-5218)  
106 East Lincolnway Suite 300  
Cheyenne, WY 82001  
Telephone: 307-778-8178  
Facsimile: 307-638-1975  
[bhunsicker@markuswilliams.com](mailto:bhunsicker@markuswilliams.com)  
[jsalisbury@markuswilliams.com](mailto:jsalisbury@markuswilliams.com)

COUNSEL FOR THE DEBTOR

**THE LAW OFFICES OF COLLIN  
HOPKINS, P.C.**

/s/ Collin C. Hopkins

Collin C. Hopkins, WSB #6-4032  
The Law Offices of Collin Hopkins, P.C.  
705 East Washington  
Riverton, WY 82501  
Telephone: 307-856-9101  
Facsimile: 307-855-4010  
ceehop@gmail.com

COUNSEL FOR PEGGI JO WERBELOW